

IN THE
UNITED STATES
PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Rochefort et al.

CASE: 57690.010236-F006 PETITION UNDER 37 CFR 1.47

SERIAL NO.: 10/501,261

FILED ON: 01/09/2003 (I.A. Filing Date)

FOR: CORRUGATED HANGING DISPENSER

ATTENTION OF
Customer Service Center
Initial Patent Examination Div.

COMMISSIONER OF PATENTS
WASHINGTON, D.C. 20231

Dear Sir:

If any charges or fees must be paid in connection with the following communication, they may be paid out of our Deposit Account No. 502428.

In accordance with 37 CFR 1.47, the available inventors, by and through their undersigned attorneys, hereby petition the United States Patent and Trademark Office to accept the subject application which has been filed on behalf of themselves and on behalf of a joint inventor, Mr. Christophe de Carbonnières, who has refused to join in the application.

GREENBERG TRAURIG

CHICAGO IP OFFICE
77 WEST WACKER DRIVE
SUITE 2500
CHICAGO, IL 60601
(312) 456-8400

Richard D. Harris 27898
Howard E. Silverman 32492
John S. Pacocha 25197
Douglas B. Teaney 33459
Herbert H. Finn 38139
Mark R. Galis 36805

Gary R. Jarosik 35906
Richard E. Dick 27778
Brad R. Bertoglio 47422
Jeffrey P. Dunning 50686
Jeffrey G. Mote 48791
Jordan Herzog 38182

BEST AVAILABLE COPY

All of the available joint inventors have executed Declarations on their own behalf with the signature space of the non-signing inventor left blank, which is to be treated as having been signed by all of the available joint inventors on behalf of Mr. de Carbonnières.

The circumstances surrounding the refusal of Mr. de Carbonnières to sign the application papers are set forth in the attached statement of facts.

The last known residential address of the non-signing joint inventor, Mr. de Carbonnières, is as follows:

309 White Oak Drive
Naperville, Illinois 60540

The last known employment address of the non-signing joint inventor, Mr. de Carbonnières, is as follows:

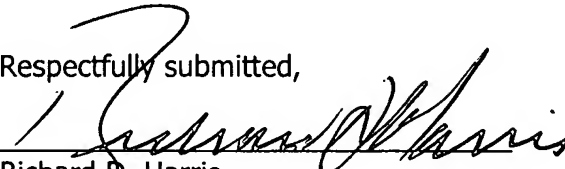
C/o Smurfit Bag-in-Box Canada
3550 Laird Road Unit #1
Mississauga, Ontario L5L 5Z7

The required fee under 37 CFR 1.47 and 37 CFR 1.17(g), of \$200, is being submitted herewith.

The favorable consideration of this Petition is respectfully solicited.

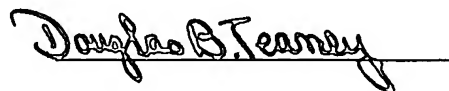
Should anything further be required, a telephone call to the undersigned at (312) 456-5019 is respectfully requested.

Dated: 2-28-05

Respectfully submitted,

Richard D. Harris
One of Attorneys for Applicants

CERTIFICATE OF MAILING

I hereby certify that this Petition under 37 CFR 1.47 is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on 03-01-05.



IN THE
UNITED STATES
PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Rochefort et al.

CASE: 57690.010236-F006 STATEMENT OF FACTS IN SUPPORT
OF PETITION UNDER 37 CFR 1.47

SERIAL NO.: 10/501,261

FILED ON: 01/09/2003 (I.A. Filing Date)

FOR: CORRUGATED HANGING DISPENSER

ATTENTION OF
Customer Service Center
Initial Patent Examination Div.

COMMISSIONER OF PATENTS
WASHINGTON, D.C. 20231

Dear Sir:

If any charges or fees must be paid in connection with the following communication, they may be paid out of our Deposit Account No. 502428.

The undersigned hereby declares that Mr. Christophe de Carbonnières has refused to sign the application papers.

The last known residential address of the non-signing joint inventor, Mr. de Carbonnières, is as follows:

309 White Oak Drive
Naperville, Illinois 60540

A copy of the application papers (including the specification, claims, drawings, together with a Declaration) were sent to Mr. de Carbonnières' last known residential address, on December 29, 2004, by FedEx. These papers were returned by FedEx as being undeliverable on January 4, 2005.

GREENBERG TRAURIG
CHICAGO IP OFFICE
77 WEST WACKER DRIVE
SUITE 2500
CHICAGO, IL 60601
(312) 456-8400

Richard D. Harris
Howard E. Silverman
John S. Pacocha
Douglas B. Teaney
Herbert H. Finn
Mark R. Galis

27898
32492
25197
33459
38139
36805

Gary R. Jarosik 35906
Richard E. Dick 27778
Brad R. Bertoglio 47422
Jeffrey P. Dunning 50686
Jeffrey G. Mote 48791
Jordan Herzog 38182

The last known place of employment of the non-signing joint inventor, Mr. de Carbonnières, is as follows:

C/o Smurfit Bag-in-Box Canada
3550 Laird Road Unit #1
Mississauga, Ontario L5L 5Z7

The application papers were subsequently sent via FedEx to Mr. de Carbonnières at his last known, and apparently current, place of employment, on February 11, 2005. Exhibits A and B hereto comprise printouts of the shipping and tracking records of that package, which was confirmed as received at the above-indicated address on February 14, 2005.

On February 14, 2005, I spoke by telephone directly with Mr. de Carbonnières, who acknowledged receipt of the package with the application papers and Declaration. At that time, Mr. de Carbonnières also confirmed to me that he had not signed the Declaration, and that he would not sign the Declaration.

The undersigned further declares that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001 and that such willful false statements may jeopardize the validity of the application, any patent issued therefrom, and any patent to which this declaration is directed.

Dated: 2-28-05

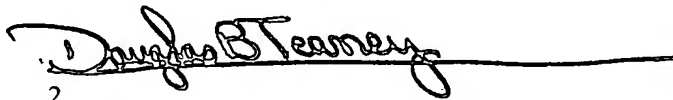
Respectfully submitted,


Richard D. Harris

One of Attorneys for Applicants

CERTIFICATE OF MAILING

I hereby certify that this Statement of Facts in Support of Petition under 37 CFR 1.47 is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on 03-01-05.


2



<< Log out Home



Your Shipment Details:

Ship to:	Christophe De Carbonnieres Smurfit Bag-in-Box Canada 3550 Laird Road, Unit 1 Mississauga, ON L5L5Z7 CA 312-456-8400	Package Type:	FedEx Pak
		Pickup/Drop Off:	give to scheduled courier at my locati
		Weight:	1 LBS
		Dimensions:	0 x 0 x 0
		Declared Value:	1 USD
		Shipper Account Number:	235321513
From:	Douglas Teaney Greenberg Traurig 77 West Wacker Drive, Suite 2500 Chicago, IL 60601 US 312.456.8400	Bill Shipment To:	235321513
		Courtesy Rate Quote	*22
		Discounted variable %	0.00
		Shipment Type:	Express
Tracking no:	792845866404		
Your reference:	57690.010236-F006		
Ship date:	Feb 11 2005		
Service Type:	International Priority		

[Print](#)[Return to History](#) [Tra](#)

Please Note

*The courtesy rate shown here may be different than the actual charges for your shipment. Differences may occur based on actual weight, dimensions, and other factors. Consult the applicable [FedEx Service Guide](#) or the FedEx Rate Sheets for details on how shipping charges are calculated.

FedEx will not be responsible for any claim in excess of \$100 per package, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential special is limited to the greater of \$100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is \$500, e.g., jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. All claims must be filed within strict time limits; Consult the applicable FedEx Service Guide for details.

Exhibit A

BEST AVAILABLE COPY

[Close Window](#)Track Shipments
Detailed Results [Print](#)

Tracking number	792845866404	Reference	57690.010236-F0
Signed for by	.KOZARIO		06
Ship date	Feb 11, 2005	Delivery location	MISSISSAUGA, ON
Delivery date	Feb 14, 2005 10:40 AM	Delivered to	Receptionist/Front Desk
		Service type	Priority Pak
		Weight	1.4 lbs.

Status Delivered

Signature Proof of Delivery

Click **Request copy of signature** to view delivery information for this shipment. [Signature Image](#)[Request copy of signature](#)

Date/Time	Activity	Location	Details
Feb 14, 2005	10:40 AM	Delivered	MISSISSAUGA, ON
	9:22 AM	On FedEx vehicle for delivery	MISSISSAUGA, ON
	8:28 AM	At local FedEx facility	MISSISSAUGA, ON
	6:04 AM	At dest sort facility	MISSISSAUGA, ON
Feb 12, 2005	11:10 AM	Shipment exception	MISSISSAUGA, ON Held, cleared regulatory agency(s) after aircraft departed
	7:51 AM	Int'l shipment release	MISSISSAUGA, ON
	7:51 AM	Int'l shipment release	MISSISSAUGA, ON
	7:11 AM	At dest sort facility	MISSISSAUGA, ON
	5:35 AM	Departed FedEx location	INDIANAPOLIS, IN
Feb 11, 2005	11:42 PM	Departed FedEx location	CHICAGO, IL
	10:24 PM	Arrived at FedEx location	CHICAGO, IL
	10:00 PM	Left origin	CHICAGO, IL
	7:25 PM	Picked up	CHICAGO, IL
	4:13 PM	Package data transmitted to FedEx	

[Track more shipments](#)

Email your detailed tracking results (optional)

Exhibit B

Enter your email, submit up to three email addresses (separated by commas), add your message (optional), and click **Send email**.

From

Add a message to this email.

To

BEST AVAILABLE COPY